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UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, et al.,	)	No. CV 90-3122-AAH (JRx)
Plaintiffs,	)	
vs.	)	<u>NOTICE OF ENTRY OF ORDER</u>
MONTROSE CHEMICAL CORPORATION OF	)	
CALIFORNIA, et al.,	)	
Defendants.	)	
AND RELATED CLAIMS.	)	

PLEASE TAKE NOTICE that on August 10, 1992, the attached  
Stipulation and Order Dismissing Appeal was entered.

DATED: August 12, 1992

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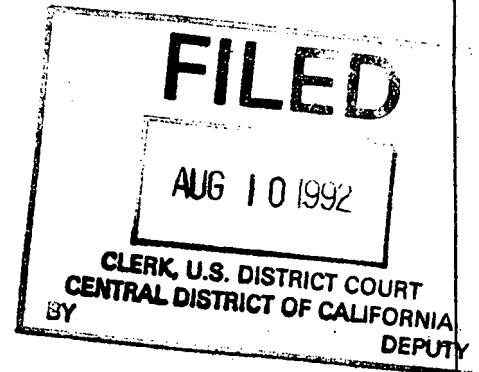
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[Also filing on behalf of  
Montrose Chemical Corporation of  
California, Stauffer Management  
Company, ICI American Holdings, Inc.,  
Atkemix Thirty-Seven, Inc., and  
Rhone-Poulenc Basic Chemicals Company]

COPY

UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA, et al.,  
Plaintiffs,  
vs.  
MONTROSE CHEMICAL CORPORATION OF  
CALIFORNIA, et al.,  
Defendants.  
AND RELATED CLAIMS.

No. CV 90-3122-AAH (JRx)  
STIPULATION AND ~~PROPOSED~~  
ORDER DISMISSING APPEAL

Plaintiffs, the United States of America and the State  
of California (collectively the "Plaintiffs"); defendants Simp-  
son Paper Company ("Simpson") and Potlatch Corporation ("Pot-  
latch"); and defendants Montrose Chemical Corporation of Cali-

1    fornia, ICI American Holdings, Inc., Stauffer Management Compa-  
2    ny, Atkemix Thirty-Seven, Inc., Rhone-Poulenc Basic Chemicals  
3    Co., and Chris-Craft Industries, Inc. (collectively the "Defen-  
4    dants") hereby stipulate to the following:

5               1.   On May 11, 1992, the Court entered the consent  
6    decree lodged with the Court on January 8, 1992 embodying the  
7    settlement between plaintiffs on the one hand and Simpson and  
8    Potlatch on the other.

9               2.   On July 10, 1992, Defendants filed a notice of  
10   appeal from the Court's order entering the consent decree. The  
11   appeal has not been docketed by the Ninth Circuit Court of Ap-  
12   peals.

13              3.   Simpson and Potlatch on the one hand and Defen-  
14   dants on the other have entered into a settlement agreement that  
15   provides, among other things, for Defendants to dismiss the  
16   appeal.

17              4.   Federal Rule of Appellate Procedure 42(a) pro-  
18   vides: "[i]f an appeal has not been docketed, the appeal may be  
19   dismissed by the district court upon the filing in that court of  
20   a stipulation for dismissal signed by all the parties . . . ."


21              5.   Therefore, to facilitate dismissal of Defendants'  
22   appeal, Plaintiffs, Simpson and Potlatch, and Defendants hereby  
23   stipulate that Defendants' appeal be dismissed.

24   SO STIPULATED:

1 FOR THE PLAINTIFF  
2 UNITED STATES OF AMERICA:

BARRY HARTMAN  
Acting Assisting Attorney General  
Environmental and Natural  
Resources Division  
U.S. Department of Justice


3  
4  
5 Dated: 8/10/92

  
GERALD F. GEORGE

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8 STATE OF CALIFORNIA:

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Deputy Attorney General

11  
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13  
14 Dated: 8/10/92

  
JOHN A. SAURENMAN

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16 FOR THE DEFENDANT  
17 CHRIS-CRAFT INDUSTRIES,  
18 INC.:

SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM

19 Dated: 8/7/92

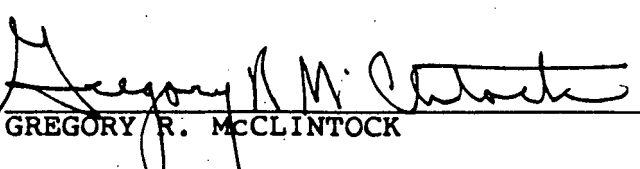
  
PETER SIMSHAUSER

20  
21 [Also executing on behalf of  
22 Defendants ICI AMERICAN  
23 HOLDINGS, INC., STAUFFER  
24 MANAGEMENT COMPANY, ATKEMIX  
25 THIRTY-SEVEN, INC., and  
26 RHONE-POULENC BASIC CHEMICALS CO.] of  
27 *Montrose chemical Corporation of California*

24 FOR THE DEFENDANT  
25 POTLATCH CORPORATION:

McCLINTOCK, WESTON, BENSHOOF,  
ROCHEFORT, RUBALCAVA,  
& MACCUISH

26  
27 Dated: 8/10/92

  
GREGORY R. MCCLINTOCK

1 FOR THE DEFENDANT  
2 SIMPSON PAPER COMPANY:

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3 Dated: 8/10/92  
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5  
6 RENE P. TATRO

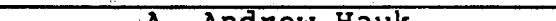
7 \* \* \*

8 [PROPOSED] ORDER

9 For the reasons stated in the foregoing stipulation,  
10 it is ORDERED that the appeal of defendants Chris-Craft Indus-  
11 tries, Inc., Montrose Chemical Corporation of California,  
12 Stauffer Management Company, ICI American Holdings, Inc., Atke-  
13 mix Thirty-Seven, Inc., and Rhone-Poulenc Basic Chemicals Compa-  
14 ny be and hereby is dismissed.

A. ANDREW HAUK

15 Dated:

  
16 A. Andrew Hauk  
17 United States District Judge  
18 Chief Judge Emeritus  
19  
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28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is Four Embarcadero Center, Suite 3750, San Francisco, CA 94111.

On August 12, 1992, 199\_, I served the foregoing document(s) described as

NOTICE OF ENTRY OF ORDER

on all parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Please see attached.

☐ (BY MAIL) I deposited such envelope with postage thereon fully prepaid in the United States mail at a facility regularly maintained by the United States Postal Service at \_\_\_\_\_, California.

☒ (BY MAIL IN THE ORDINARY COURSE OF BUSINESS) I am readily familiar with the firm's practice for the collection and processing of correspondence for mailing with United States Postal Service and the fact that the correspondence would be deposited with the United States Postal Service that same day in the ordinary course of business; on this date, the above-referenced correspondence was placed for deposit at San Francisco, California and placed for collection and mailing following ordinary business practices.

☐ (BY PERSONAL SERVICE) ☐ By personally delivering copies to the person served. (STATE/FEDERAL)

☐ I delivered such envelope by hand to the offices of the addressee pursuant to CCP § 1011.  
(STATE/FEDERAL)

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 12, 1992, 19\_\_ at San Francisco, California.

Cathy Christo

Type or Print Name



Signature

Revised: August 12, 1992

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